

1-1 By: Taylor S.B. No. 2432  
 1-2 (In the Senate - Filed March 8, 2019; March 21, 2019, read  
 1-3 first time and referred to Committee on Education; April 3, 2019,  
 1-4 reported favorably by the following vote: Yeas 11, Nays 0;  
 1-5 April 3, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Taylor	X			
1-8 Lucio	X			
1-9 Bettencourt	X			
1-10 Campbell	X			
1-11 Fallon	X			
1-12 Hall	X			
1-13 Hughes	X			
1-14 Paxton	X			
1-15 Powell	X			
1-16 Watson	X			
1-17 West	X			

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the mandatory removal of a public school student from  
 1-22 the classroom following certain conduct.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 37.006(a), Education Code, is amended to  
 1-25 read as follows:

1-26 (a) A student shall be removed from class and placed in a  
 1-27 disciplinary alternative education program as provided by Section  
 1-28 37.008 if the student:

1-29 (1) engages in conduct involving a public school that  
 1-30 contains the elements of the offense of false alarm or report under  
 1-31 Section 42.06, Penal Code, or terroristic threat under Section  
 1-32 22.07, Penal Code; or

1-33 (2) commits the following on or within 300 feet of  
 1-34 school property, as measured from any point on the school's real  
 1-35 property boundary line, or while attending a school-sponsored or  
 1-36 school-related activity on or off of school property:

1-37 (A) engages in conduct punishable as a felony;

1-38 (B) engages in conduct that contains the elements  
 1-39 of the offense of assault under Section 22.01(a)(1), Penal Code;

1-40 (C) sells, gives, or delivers to another person  
 1-41 or possesses or uses or is under the influence of:

1-42 (i) marihuana or a controlled substance, as  
 1-43 defined by Chapter 481, Health and Safety Code, or by 21 U.S.C.  
 1-44 Section 801 et seq.; or

1-45 (ii) a dangerous drug, as defined by  
 1-46 Chapter 483, Health and Safety Code;

1-47 (D) sells, gives, or delivers to another person  
 1-48 an alcoholic beverage, as defined by Section 1.04, Alcoholic  
 1-49 Beverage Code, commits a serious act or offense while under the  
 1-50 influence of alcohol, or possesses, uses, or is under the influence  
 1-51 of an alcoholic beverage;

1-52 (E) engages in conduct that contains the elements  
 1-53 of an offense relating to an abusable volatile chemical under  
 1-54 Sections 485.031 through 485.034, Health and Safety Code; ~~or~~

1-55 (F) engages in conduct that contains the elements  
 1-56 of the offense of public lewdness under Section 21.07, Penal Code,  
 1-57 or indecent exposure under Section 21.08, Penal Code; or

1-58 (G) engages in conduct that contains the elements  
 1-59 of the offense of harassment under Section 42.07, Penal Code,  
 1-60 against an employee of the school district.

1-61 SECTION 2. This Act applies beginning with the 2019-2020

2-1 school year.

2-2 SECTION 3. This Act takes effect immediately if it receives  
2-3 a vote of two-thirds of all the members elected to each house, as  
2-4 provided by Section 39, Article III, Texas Constitution. If this  
2-5 Act does not receive the vote necessary for immediate effect, this  
2-6 Act takes effect September 1, 2019.

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